



Public Notice

Applicant:
New York State Office of
Parks, Recreation and
Historic Preservation

Published: 19 December 2012
Expires: 18 January 2013

U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Application No: **2012-00652**
Section: NY

All written comments should reference the above Application No. and be addressed to:
U.S. Army Corps of Engineers
(Attn: Julie Rimbault)
7413 County House Road
Auburn, New York 13021

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: New York State Office of Parks, Recreation and Historic Preservation
Attn: Gordon Betts
Selkirk Shores State Park
7101 State Route 3
Pulaski, New York 13142

WATERWAY & LOCATION: Grindstone Creek and Lake Ontario, Selkirk Shores State Park, 7101 State Route 3, Pulaski, Town of Richland, Oswego County, New York

LATITUDE & LONGITUDE: Latitude North: 43.55158
Longitude West: -76.21381

EXISTING CONDITIONS: At the mouth of Grindstone Creek, where it flows into Lake Ontario, there is a large cobble bar that has formed, moving the mouth of the creek north from where it was in the past. Consequently, the creek currently flows right against a bulkhead, undermining it and causing concerns that further erosion will cause its collapse. The bulkhead protects the beach parking lot and a small park road. Based on aerial photos, the cobble bar is dynamic and has shifted several times north or south. Its exact size and shape changes regularly based on wave action from the Lake and the stream flow. Water levels in the lake also impact the size of the creek outlet.

PROPOSED WORK: the applicant proposes to form a new channel outlet approximately 175 feet south from the bulkhead. The work will be done by excavating approximately 125 cubic yards of cobble from a section of the cobble bar (an area approximately 4 feet wide by 105 feet long), using a back hoe and front end loader, and depositing that material into the existing channel to act as a plug and along the bulkhead to prevent further scour. A portion of the existing channel will remain open but water flow will be diverted into the new outlet. No large rip rap is proposed along the bulkhead or edge of the new outlet due to lack of funding. This is a temporary solution until the State can obtain funding for a more permanent solution to repair and protect the bulkhead.

This activity will be done during low water levels. No fill is proposed in the adjacent wetland.

PROJECT PURPOSE

Basic: Protect parking area

Overall: Protect the parking area by preventing further erosion of the bulkhead.

Avoidance and Minimization Information: one alternative would be to place large rip rap along the bulkhead but the applicant has indicated that the State does not currently have funding for this alternative.

Proposed Mitigation: no mitigation is proposed.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Julie Rimbault, who can be contacted at the above address, by calling (315) 255-1384, or by e-mail at: julie.c.rimbault@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The applicant has certified that the proposed activity complies with New York's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with New York State's Coastal Zone Management Program should be forwarded to:

New York Department of State
Division of Coastal Resources
Coastal Management Program
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231
Attn: Consistency Review
Telephone (518) 486-3200

The following authorization is required for this project:

Water Quality Certification from the New York State Department of Environmental Conservation.

The project permit area is located within an archaeologically sensitive area as identified by the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP). However, due to the scope and location of the work proposed (i.e. an area that has incurred erosion and deposition several

times), the Corps has determined that the project will result in No Effect to historic resources listed in, or eligible for listing in the National Register of Historic Places. This notice constitutes initiation of consultation with the NYSOPRHP per Section 106 of the National Historic Preservation Act and the Corps hereby requests the NYSOPRHP to concur with this determination. All currently available historic resource information pertaining to this proposed project if any has been provided to the NYSOPRHP. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the NYSOPRHP for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the United States Fish and Wildlife Service to evaluate any potential impacts to: Bog Turtle (*Clemmys muhlenbergii* – Threatened); Indiana Bat (*Myotis sodalis* - Endangered); and Piping Plover (*Charadrius melodus* – Endangered – designated critical habitat), and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

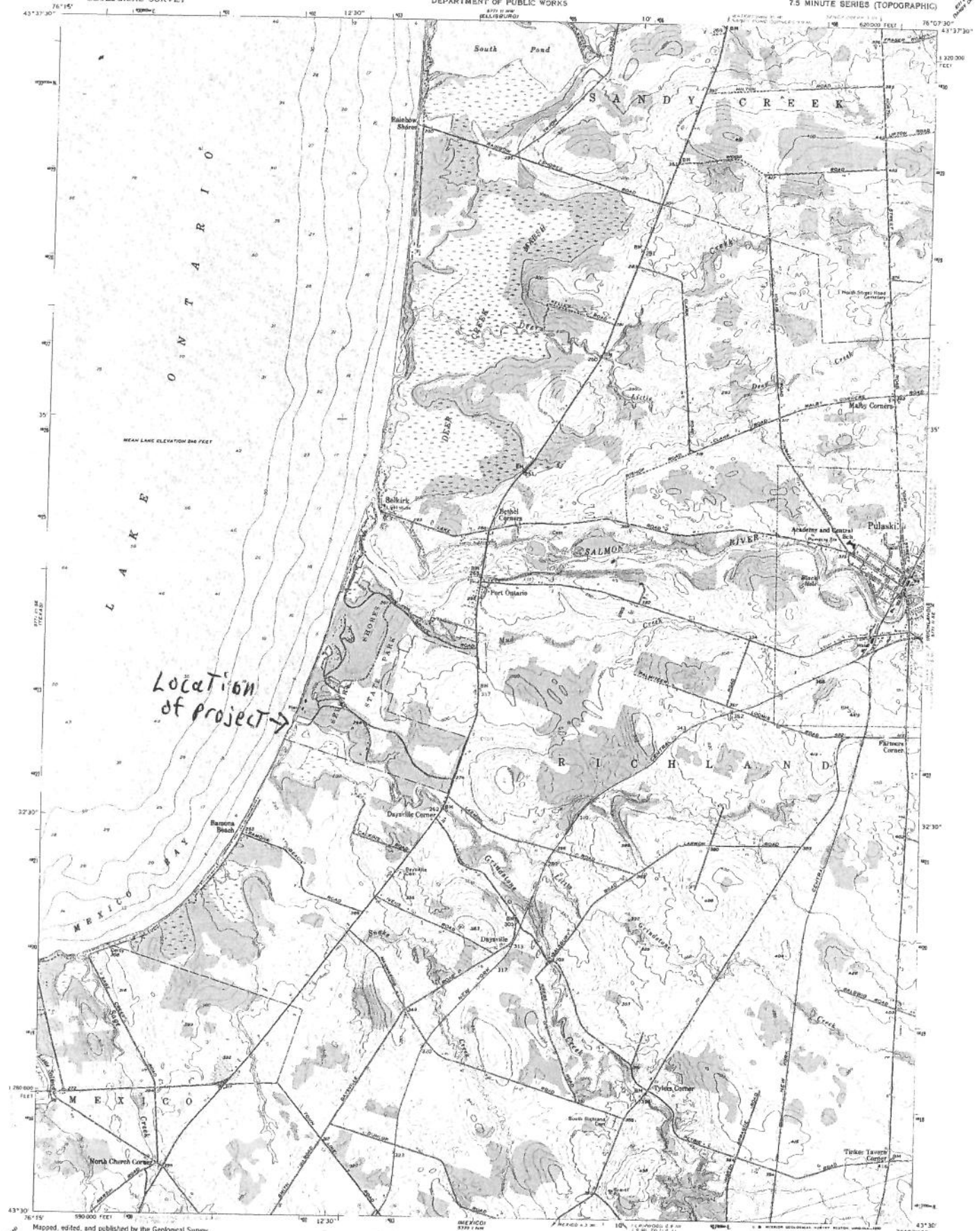
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



Location
of Project →

NYS Office of Parks, Recreation and Historic Preservation -
Selkirk Shores State Park
D/A Processing No. 2012-00652
Oswego County, New Pulaski, NY



ROAD CLASSIFICATION
Light duty
Drainage duty
U.S. Route
State Route

PULASKI, N. Y.
N 4330-W 7607.5/7.5
PHOTOGRAPHIC 1950
1956

ANSI 1711 N SW-SERIES 1921

Maped, edited, and published by the Geological Survey
Control by USGS, USCGS, and TNA
Control and revision in part compiled by Corps of Engineers.
Cust. of the Army, from aerial photographs taken 1942
Topography by planetable surveys 1956
Hydrography in Lake Ontario from U.S. Lake Survey
chart 22 (1953)
Polyconic projection, 1927 North American datum
10,000-foot grid based on New York coordinate system,
central zone
1000-meter Universal Transverse Mercator grid ticks,
zone 18, shown in blue
No. 1000-1000-1000-1000
No. 1000-1000-1000-1000



marsh area

Grindstone creek

parking area

Bulk Head

Solid Bank

Existing channel

Gravel Bar

135' Bank to lake

Lake on Tarrid

Existing riprap

200' To vegetation line from Bulkhead

current channel opening size varies depending on water level from a few inches to a few feet.

Open Gravel

marsh catails Area

vegetation on bar

SELKIRK SHORES STATE PARK

7101 STATE RTE 3
PULASKI, NY 13142

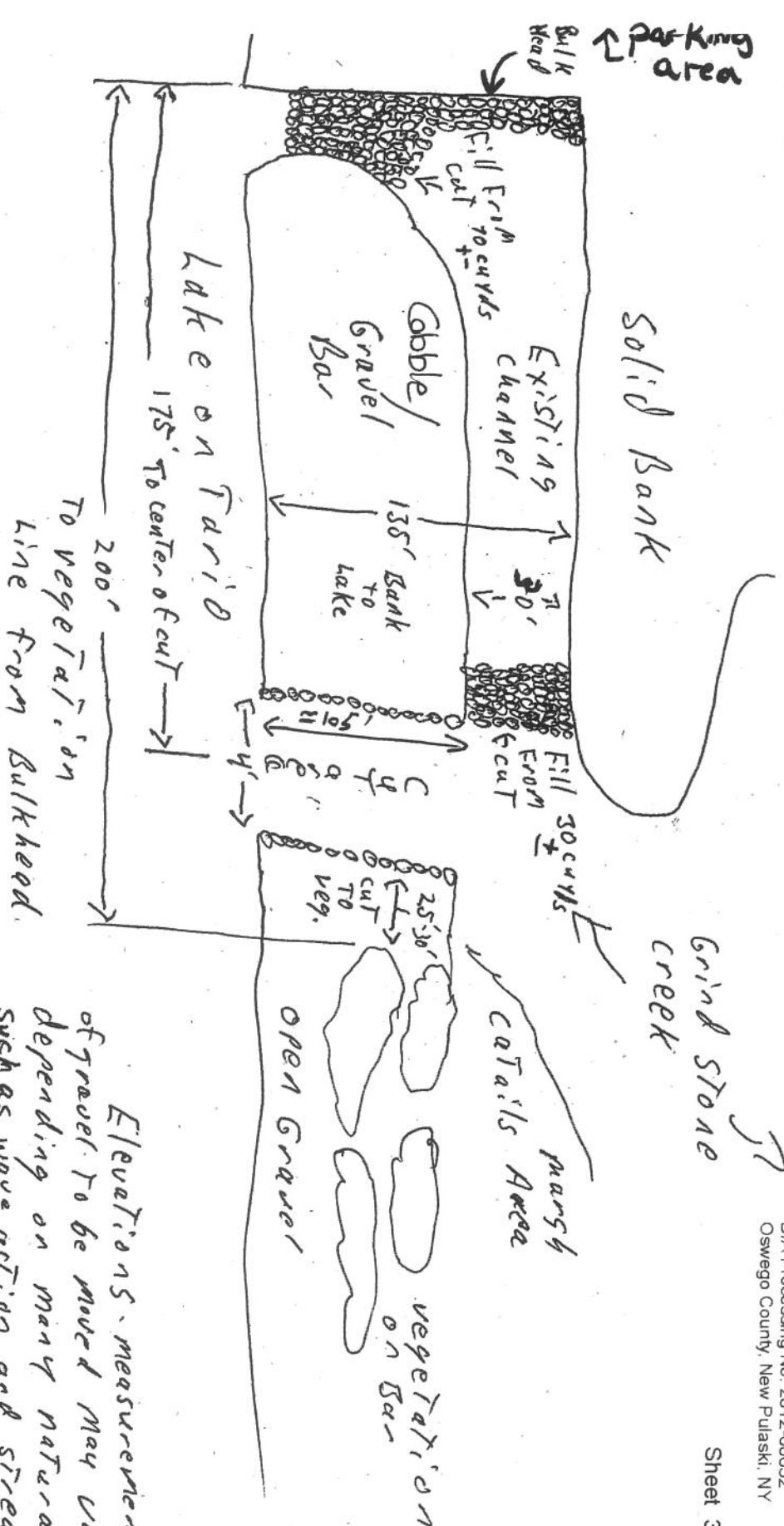
CURRENT CONDITIONS





marsh area

Sheet 3 of 4

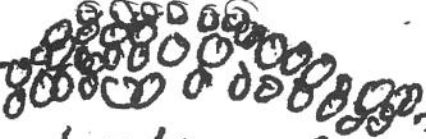


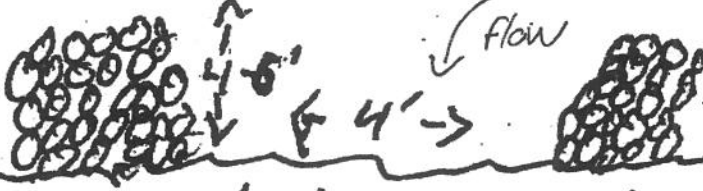
Elevations - measurements - amounts of gravel to be moved may vary widely depending on many natural factors such as wave action and stream water flow. Actual depth of cut will be about 4 to 6 feet plus or minus, depending upon conditions. Channel width will be about 4' wide, as cut. IT may widen and deepen naturally after fact. cubic yds of material moved will be approximately 100 ±

SELKIRK SHORES STATE PARK

7101 STATE RTE 3
PULASKI, NY 13142

PROPOSED PROJECT

creek  Elev 243'
Lake Bar
4'-5' above Lake level
at highest point.

 Lake Level
243' Elev.

